

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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LANDESBANK BERLIN INVESTMENT:  
GMBH, Individually and on behalf of all  
others similarly situated,

Plaintiff,

v.

SCHERING-PLOUGH CORP., *et al.*,

Defendants.

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DAVID HUSARSKY, on behalf of  
himself and all others similarly situated,

Plaintiff,

v.

SCHERING-PLOUGH CORP., *et al.*,

Defendants.

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LOUISIANA MUNICIPAL POLICE  
EMPLOYEES RETIREMENT SYSTEM,  
on behalf of himself and all others  
similarly situated,

Plaintiff,

v.

SCHERING-PLOUGH CORP., *et al.*,

Defendants.

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**Hon. Dennis M. Cavanaugh**

**CONSOLIDATING ORDER**

Civil Action No. 09-CV-1099 (DMC)

Civil Action No. 09-CV-1244 (DMC)

Civil Action No. 09-CV-1247 (DMC)

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CITY OF EDINBURGH COUNCIL AS  
ADMINISTERING AUTHORITY FOR  
THE LOTHIAN PENSION FUND, on  
behalf of itself and all other similarly  
situated persons,

Plaintiff,

v.

SCHERING-PLOUGH CORP., *et al.*,

Defendants.

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Civil Action No. 09-CV-1800 (DMC)

DENNIS M. CAVANAUGH, U.S.D.J.:

This matter coming before the Court upon request for consolidation of the above-captioned matters; and the Court having reviewed all submissions;

IT IS on this 30 day of April, 2009;

**ORDERED** that the above-captioned actions are consolidated for all purposes ("Consolidated Action") pursuant to Fed. R. Civ. P. 42(a). This Order shall apply to the Consolidated Action and to each case that is subsequently filed in the Court or transferred to the Court that relates to the same subject matter as in the Consolidated Action;

**ORDERED** that a Master Docket and Master File shall be established for the Consolidated Action. The Clerk shall file all pleadings in the Master File and note such filings on the Master Docket. All orders, pleadings, motions and other documents shall, when filed and docketed in the Master File, be deemed filed and docketed in each of the individual actions, unless otherwise stated. When an order, pleading, motion or other document is filed with a caption indicating that it is applicable to fewer than all of these consolidated cases, the clerk shall file such document in the

Master File and note such filing in the Master Docket and in the docket of each action referenced;

**ORDERED** that an original of this Order shall be filed by the Clerk in the Master File;

**ORDERED** that the Clerk shall mail a copy of this Order to counsel of record in the Consolidated Action;

**ORDERED** that every pleading in the Consolidated Action shall bear the following caption:

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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In re Schering-Plough / Merck Merger Litig.	)	Civ. No. 09-1099
	)	

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When a pleading is intended to apply to all actions, the words "All Actions" should be inserted in the caption. When a pleading is intended to apply to fewer than all actions, the docket number of each individual action and the last name of the first named plaintiff shall be inserted in the caption;

**ORDERED** that the Court requests the assistance of counsel in calling to the attention of the Clerk for this Court the filing or transfer of any case that might properly be consolidated as part of this Consolidated Action;

**ORDERED** that when a case that arises out of the subject matter of this action is hereinafter filed in this Court or transferred to this Court from another court, the Clerk of this Court shall:

- a. file a copy of this Order in the separate file for such action;
- b. mail a copy of this Order to the attorneys for the plaintiff(s) in the newly-filed or transferred case and to any new defendant(s) in the newly-filed or transferred case; and

c. make the appropriate entry in the Master Docket for the Consolidated Action;

**ORDERED** that each new case that arises out of the subject matter of this Consolidated Action and is filed in this Court or transferred to this Court shall be consolidated with the Consolidated Action and this Order shall apply thereto, unless a party objecting to this Order or any provision of this Order shall, within ten (10) days after the date upon which a copy of this Order is served on counsel for such party, file an application for relief from this Order or any provision therein and this Court deems it appropriate to grant such application;

**ORDERED** that the consolidation of these actions is for the procedural and administrative convenience of the Court and the parties, and does not constitute a waiver or compromise of any rights the parties would otherwise have.

  
Dennis M. Cavanaugh, U.S.D.

Original: Clerk  
cc: All Counsel of Record  
Hon. Mark Falk, U.S.M.J.  
File